



**Nursing Care Quality Assurance Commission (NCQAC)
Regular Meeting Agenda
July 9, 10, 2015
Lacey Conference Center
975 Carpenter Rd NE
Lacey, WA 98516**

Commission Members:

Margaret Kelly, LPN, Chair
Donna Poole MSN, ARNP, PMHCNS-BC, Vice-Chair
Cass Tang, PMP, Public Member, Secretary/Treasurer
Charlotte Foster, BSN, MHA, RN
Stephen J. Henderson, JD, MA, Public Member
Lois Hoell, MS, MBA, RN
Suellyn M. Masek, MSN, RN, CNOR
Helen Myrick, Public Member
Gene Pingle, BSN-BC, CEN, RN
Tracy Rude, LPN
Laurie Soine PhD, ARNP

Excused:

Mary Baroni, PhD, RN
Tiffany Randich, LPN
Teri Trillo, MSN, RN, CNE
Jeannie Eylar, MSN, RN (By phone)

Assistant Attorney General:

Gail Yu, Assistant Attorney General

Staff:

Paula R. Meyer, MSN, RN, FRE, Executive Director
Kathy Anderson, Management Analyst
Debbie Carlson, MSN, RN, Associate Director, Nursing Practice
Teresa Corrado, LPN, Licensing Manager
Mary Dale, Discipline Manager
John Furman, PhD, MSN, CIC, COHN-S, Director, Washington Health Professional Services
Karl Hoehn, Legal Manager
Garr Nielsen, Chief Investigator
Stefanie Parrish, Administrative Assistant
Mindy Schaffner, PhD, MSN-CNS, RN, Associate Director, Nursing Education
Catherine Woodard, Associate Director, Discipline

The minutes of this meeting will be posted on our website after the NCQAC approves the minutes at the September 11, 2015 NCQAC meeting. For a copy of the actual recording, please contact the Public Disclosure Records Center (PDRC) at PDRC@doh.wa.gov.

July 9, 2015

Workshop – Harvest Room

- I. 8:00 AM – 8:30 AM Breakfast**
- II. 8:30 AM – 10:00 AM Computer Training**
10:00 AM – 10:15 AM Break
- III. 10:15 AM – 12:00 PM Computer Training**
12:00 PM – 1:00 PM Lunch
- IV. 1:00 PM – 3:00 PM Strategic Plan 2015-2017**
3:00 PM – 3:15 PM Break
- V. 3:15 PM – 4:30 PM Barry Lubin – Affinity**

July 10, 2015

Business Meeting – Horizon Room

- I. 8:30 AM Opening – Suellyn Masek, Chair – DISCUSSION/ACTION**
- II. Call to Order**
 - A. Introductions**
 - B. New Officers take their seats**
 - 1. Margaret Kelly, Chair
 - 2. Donna Poole, Vice Chair
 - 3. Cass Tang, Secretary/Treasurer
 - C. Order of the Agenda**
 - D. Correspondence**
 - E. Announcements**
 - 1. New hearing room, located in Point Plaza East building, will be ready this fall.
 - 2. NCSBN committee appointments announced.
 - a) Mary Dale – Awards
 - b) Teresa Corrado – Item Review Sub-Committee

- c) Catherine Woodard – Investigator Training
- d) Mary Sue Gorski – Commitment to On-Going Regulatory Excellence (CORE)
- e) Continuing service – Margaret Kelly, Awards; Gene Pingle, Item Review sub-committee, Rhonda Taylor, NCLEX committee

III. 8:40 AM Consent Agenda – DISCUSSION/ACTION

Consent Agenda items are considered routine and are approved with one single motion

A. Approval of Minutes

- 1. NCQAC Business Meeting, May 8, 2015
- 2. Advanced Practice Sub-committee
 - a) May 20, 2015
 - b) May 28, 2015
- 3. Discipline Sub-committee
 - a) March 24, 2015
 - b) April 28, 2015
- 4. Consistent Standards of Practice Sub-committee
 - a) May 5, 2015
 - b) June 2, 2015

B. Out of state travel reports

- 1. Montana State Board of Nursing Helena, Montana, April 20: Cass Tang, Jeannie Eylar, Karl Hoehn, Mindy Schaffner
- 2. NCSBN Virtual conference: Regulatory Perspectives in Pre-licensure distance Education Programs, Chicago, Illinois, April 27-28: Mindy Schaffner
- 3. National Association of Drug Diversion Investigations Conference, Las Vegas, Nevada, April 28-30: Heidi Dodd, Melissa Frank, John Gibler, Rich Battle
- 4. NCSBN Discipline Summit, Chicago, June 2-3: Gene Pingle, Mary Dale, Garr Nielsen; Presenting: Catherine Woodard, Margaret Holm, Joe Grangnelli
- 5. National Forum for State Nursing Workforce Centers Annual Conference, Denver Colorado, June 10-12: Dr. Mary Sue Gorski

C. National Council of State Boards of Nursing (NCSBN) Message from the President, May 26, 2015

Ms. Hoell requested the removal of the May 8, 2015 Business Meeting Minutes from the consent agenda. Ms. Rude requested the removal of the Consistent Standards of Practice (CSP) May 5, 2015 meeting minutes from the consent agenda.

Motion: Ms. Tang moved to adopt the consent agenda with removal of the two requested documents. Ms. Myrick made the second to the motion. **Motion carried.**

Motion: Ms. Hoell moved to change the word facility to faculty in the May 8, 2015 Business Meeting Minutes. Ms. Masek made the second to the motion. **Motion carried; three abstentions from members who did not attend the May meeting.**

Motion: Ms. Rude moved to change the month from June to July under item 2 in the May 5, 2015 CSP minutes. Ms. Foster made the second to the motion. **Motion carried.**

IV. 8:45 AM NCQAC Panel Decisions – DISCUSSION

A. The NCQAC delegates the authority as provided by law for certain decision to a panel of at least three members. A member of the NCQAC must chair panels. Pro tem members of NCQAC may serve as panel members. The following minutes were provided for information.

1. Nursing Program Approval Panel (NPAP)
 - a. March 19, 2015
 - b. April 9, 2015
 - c. April 16, 2015
2. Nursing Assistant - Nursing Program Approval Panel (NA-NPAP)
 - a. April 13, 2015
 - b. May 11, 2015

V. 9:00 - 9:30 AM Chair Report –Margaret Kelly– DISCUSSION/ACTION

A. Sub-committee chairs and member appointments

Ms. Kelly appointed members to sub-committees.

- Licensing Sub-committee
 - Margaret Kelly
- CSP Sub-committee
 - Helen Myrick
 - Tiffany Randich
 - Laura Yockey
- Discipline Sub-committee
 - Suellyn Masek added
 - Jeannie Eylar added
 - Margaret Kelly removed

B. Recognition of Tacoma General nurse – Florence Rigney

The NCQAC recognized Ms. Florence “See See” Rigney, America’s oldest working nurse. Ms. Rigney, licensed on July 20, 1946, holds an exemplary record on her RN license. The NCQAC presented Ms. Rigney with a plaque.

VI. 9:30 AM – 10:30 AM Executive Director Report – Paula Meyer – DISCUSSION/ACTION

Thursday, July 9, 2015, the NCQAC members were issued state laptops to use for all future NCQAC work. Several technical issues arose while training on the new equipment. Ms. Meyer offered to have the computers taken back for more work, and a re-presentation at the September meeting. Ms. Meyer opened the topic for discussion for feedback.

Motion: Ms. Tang moved to continue status quo with exactly what is done now, but practice with the new computers, and call Stefanie Parrish or Jean Wheat for access issues. Ms. Myrick made the second to the motion. **Motion carried.**

A. Budget Report

Kathy Anderson reported on the budget. Ms. Anderson stated the report does not reflect the end of the biennium as of yet. There are no major changes from the last report. Report reflects overspending in some areas, but that was the expectation due to new staff in the legal unit and the Washington Health Professional Services (WHPS) moving to the Nursing Commission Unit.

B. State Budget

Ms. Meyer reported on the State Budget. Contingency plans were in place in the case of a state shutdown, had a budget not been signed in time. The contingency plan included consideration of cancelling the July NCQAC meeting, contacting commission and pro tem members, and all meetings and hearing through July 15, 2015. The state budget was passed and signed by Governor Inslee.

C. Performance Measures Report

Performance measures report provided positive trends. New performance measures will be added to the dashboard in the coming months, to include WHPS and legal services. The Commitment to Ongoing Regulatory Excellence (CORE) reports will be available in the fall and provide a comparison to other state boards of nursing performance.

D. NCSBN Annual Meeting, August 19-21, 2015 Chicago IL

1. Chair and executive director as delegates
 - a) Alternate delegates are Suellyn Masek and Donna Poole
2. Resolutions, business
3. Regulatory Achievement Award

Commission members attending the NCSBN annual meeting for recognition of the Regulatory Achievement Award include:

Commission members	Staff
Margaret Kelly	Kathy Anderson
Suellyn Masek	Teresa Corrado
Donna Poole	Mary Dale
Lois Hoell	Barbara Gumprecht
Charlotte Foster	Karl Hoehn
Tracy Rude	Paula Meyer
	Adena Nolet
	Tim Talkington
	Mindy Schaffner
	Catherine Woodard

Tracy Rude is a nominee for Leadership Succession Committee, Area I. Cass Tang withdrew her nomination for Board of Directors, Area I. Suellyn Masek will be seeking nomination from the floor for the Board of Directors Area I candidate.

E. July 1 – June 30 Board Pay Summary

Board pay for the previous year was presented. A comparison to previous 3 years was requested. A trend chart will be added to the September meeting packet.

F. NCQAC procedure revisions

1. H03.03 Out of state travel

The proposed changes to the procedure were reviewed and further revisions were found.

- Signature block needs to reflect Margaret Kelly’s name as Chair.
- Earlier time frames to reserve travel is requested.
- Amend number 7 to read: Staff at the NCQAC office coordinate travel arrangements with the person traveling in accordance with items listed in the reference section of this policy. All approval forms must be completed prior to completing reservations. All out of state travel requires approval by the Executive Director. If travel approval is not secured prior to reservations and travel, reimbursement may be denied. Travel arrangements must be made at least 30 days in advance. Hotel reservations are to be made immediately. Exceptions are at the discretion of the Executive Director.

Motion: Ms. Tang moved to adopt Procedure H03.03 directing the process to approve out of state travel by NCQAC members and staff. Stephen Henderson made the second to the motion. **Motion carried.**

2. A53.01 Notice of Required Evaluation

Motion: Mr. Pingle moved to adopt Procedure A53.01 Notice of Required Evaluation. Ms. Hoell made the second to the motion. **Motion carried.**

G. July 1 through June 30 out of state travel plan

Additions to the out of state travel plan:

- Add Kathy Moisio to NCLEX
- ARNP round table – add a place holder for a NCQAC member
- Add Tiffany Randich to the NCSBN Mid Year Meeting
- Add Cass Tang to the NCSBN IT Conference
- Add IRE Conference Jan 26-28, 2016, Charlotte Foster, Donna Poole, and Jeannie Eylar
- Add Lois Hoell to the August NCSBN Conference

Motion: Ms. Poole moved to adopt the changes to the out of state travel plan. Ms. Masek made the second to the motion. **Motion carried.**

H. 2016 Legislation

1. Nurse Licensure Compact/Advanced Practice Compact

Staff and NCQAC members are meeting with stakeholders including representatives from SEIU, WSNA, the Governor's office, Department of Health, and seeking input from as many organizations as possible on the Nurse Licensure Compact (NLC). The Advanced Practice sub-committee met with ARNP United to discuss the Advanced Practice Compact. While concerns and opposition were raised, some advanced practice organizations support the compact.

Motion: Ms. Soine moved, with a second from the Advanced Practice Sub-committee, to pursue legislation on the Advanced Practice Registered Nurse Licensure Compact. **Motion carried.**

2. Non-traditional programs of nursing, RCW 18.79.380

Stakeholder work will begin related to changes need in this statute. Legislation is being considered for the 2017 session. Staff requested three NCQAC members for this work. Cass Tang and Charlotte Foster volunteered. Helen Myrick volunteered if needed. Mary Baroni or Terry Trillo will be asked to consider being the third member.

3. FBI Criminal Background Checks, RapBack

Stakeholder meetings will continue to address the opposition expressed in the 2015 session and garner support.

10:30 AM – 10:45 AM BREAK

VII. 10:45 AM – 11:30 AM Sub-committee Reports – DISCUSSION/ACTION

A. Advanced Practice – Laurie Soine, Chair

1. Clinical Nurse Specialist (CNS) Draft Rules Update

The rules hearing is scheduled during the November 13, 2015 NCQAC meeting. Draft rules are being reviewed by the Secretary of Health as required.

B. Consistent Standards of Practice – Charlotte Foster, Chair

1. Physician Order for Life-Sustaining Treatment (POLST) Advisory Opinion Draft

Nurses delegate to nursing assistants in community based care settings: adult family homes, assisted living facilities, community residential programs for people with development disabilities, and private homes. A revision to the September 14, 2014 POLST advisory opinion is necessary to clarify whether nursing assistants could honor the POLST while working in settings with patients where nursing delegation is not occurring. Staff worked closely with the Washington State Department of Social and Health Services and Washington State Medical Association POLST Task Force to amend the advisory opinion to add settings and allow nursing assistants working in these setting to honor the POLST form.

2. Physician Order for Life-Sustaining Treatment Frequently Asked Questions Draft

A revision was made to the POLST Frequently Asked Questions in the response to the question, “What if a family member tells the caregiver to do CPR when the POLST says DNR?” In the answer, “A competent adult patient or the legal surrogate *can* always change their medical decisions and request alternative treatment”, was changed to, “*may* always change their medical decisions and request alternative treatment”.

Motion: Ms. Foster moved to approve revisions of the POLST advisory opinion and FAQ. Tracy Rude made the second to the motion. **Motion carried.**

3. SHB 1727 Nursing Assistant Scope of Practice Rulemaking Request

The legislature passed and the governor signed Substitute House Bill 1727 allowing nursing assistants to work to their full scope of practice in mental health facilities

Motion: Ms. Foster moved, with a second from the subcommittee, to open sections in WAC 246-840 Nursing, WAC 246-841, nursing assistants and WAC 246-842 to implement the new law; and for review, clarification, repeal duplicate rules, and overall cleanup. **Motion carried.**

4. Procedure Review and Revisions:

- a) Development, Rescinding, and Archiving of Interpretive Statements, Advisory Opinions, Policy Statements, and Declaratory Orders (F01.02) – Request to Rescind
- b) Advisory Group Procedure (F02.02) – Request to Rescind
- c) Nursing Practice Advisory Opinions, Interpretive Statements, Policy Statements, and Declaratory Orders Statement (F03.02) Draft – Retitle and Revision

Motion: Ms. Foster, with a second from the sub-committee, moved to rescind Procedure F01.02 and F02.02, and revise Procedure F03.02. **Motion carried.**

C. Discipline – Gene Pingle, Chair

1. Revision to procedure A06.07 Review of Commission Reports
2. Case Disposition Panel Pilot
 - a) Statistics
 - b) Setting an evening meeting
 - c) Procedure A25.06 Case Disposition Panels

Motion: Mr. Pingle, with a second from the sub-committee, moved to adopt revisions in Procedure A06.07 Review of Commission Reports. **Motion carried.**

Motion: Mr. Pingle, with a second from the subcommittee, moved to adopt revised Procedure A25.06 Case Disposition Panels (CDP); change CDP to the third Tuesday of the month; set an evening meeting from 5:00 PM – 7:00 PM on the second Wednesday of the month. **Motion carried.**

D. Licensing – Lois Hoell, Chair

1. Update on Rules

The sub-committee continues to work on rules and preparing for the hearing at the November NCQAC meeting. The sub-committee requested a thorough report at the next meeting on the number of endorsements and licenses.

11:30 AM – 1:00 PM Lunch

12:00 PM – 1:00 PM Education Session Emily Tse, Director of Evaluation from International Education Research Foundation (IERF) gave a presentation licensing fraud.

VIII. 1:00 PM Open Microphone

Open microphone is for public presentation of issues to the NCQAC. If the public has issues regarding disciplinary cases, please call 360-236-4713.

Sarah Frey from Washington State Nurses Association spoke regarding RapBack and background checks for the NLC and the failure of RapBack in the last legislative session. Ms. Frey would like clarification regarding the cost of licensing, scope of practice, and requests a workgroup.

Louise Kaplan from ARNPs United spoke regarding the Advanced Practice Compact and the Model Rules. Ms. Kaplan noted the rules have not been adopted or revised. ARNPs United is concerned about ‘grandfathering’ and noted that ARNPs United is currently opposed to the Advanced Practice Compact.

IX. 1:15 PM – 2:15 PM Joint Operating Agreement, Performance Agreement – Health Systems Quality Assurance (HSQA) report – Martin Mueller, Paula Meyer - DISCUSSION/ACTION

- A. Information Technology**
- B. FBI Criminal Background Checks**
- C. On-line Applications – Dan Renfroe**

Martin Mueller and Dan Renfroe gave an update from HSQA. Every six months HSQA gives a report to the NCQAC. Mr. Mueller and Ms. Meyer meet monthly to review performance measures and keep updated on current situations. HSQA is currently working on 2016 legislature decisions. Once decisions are made and refined, HSQA will go onto the Governor seeking support. HSQA is also revising their three year strategic plan.

Regarding FBI criminal background checks on all nursing applicants, the NCQAC’s goal is to implement the change by January 1, 2016. Current questions include:

- Authority in the statute
- How to procure ‘live scan’ vendors rather than ink rolled prints
- Updating the memorandum of understanding with Washington State Patrol

- Working with the Attorney General's office for definitions and whether or not to require the fingerprints on all applicants in rule

Dan Renfroe discussed online licensing applications. HSQA plans to begin online applications with certain professions in December 2016. Mr. Renfroe asked for the NCQAC members to reach out to their contacts for Beta testers.

X. 2:15 PM – 2:30 PM Annual NCQAC Education Plan – Paula Meyer - DISCUSSION/ACTION

At every meeting, the NCQAC conducts an educational session at their lunch time. The NCQAC discussed educational needs and topics of interest to begin planning the sessions for September 2015 through May 2016. NCQAC members requested the following education topics:

- WHPS Process
- Federation of State Medical Boards Compact Speaker
- Delegation
- Rules Process
- Nursing programs and disabled students
- Nursing practice for the public members to better understanding nursing roles – a 'Day in the life' of a nurse
- Disciplinary Case Studies

2:30 PM – 2:45 PM BREAK

XI. 2:45 PM – 3:15 PM – Accessing Drug Distribution Systems by students, Joint task force report - Terry Trillo (absent), Jeannie Eylar (on the phone), Mindy Schaffner, Barbara Gumprecht - DISCUSSION/ACTION
WAC 246-872-010 through 246-872-050 are pharmacy regulations related to automated medication distribution systems. The regulations impact nursing education programs and students accessing automated drug distribution systems. Task force members provided the final report with recommendations for best practices.

Recommendations from the task force included:

- Allow nursing students to access the Automated Drug Distribution System
- Provide adequate training for nursing students
- Require facility policies and procedures
- Orient nursing students and faculty
- Report alleged diversion/errors/near misses to the NCQAC and PQAC
- Get information to stakeholders for both PQAC and NCQAC to allow access by current nursing students
- PQAC rules need to be amended

Motion: Ms. Eylar moved to adopt the report from the Accessing Drug Distribution systems by Nursing Students and the recommendations as presented. Ms. Masek made the second to the motion. **Motion carried.**

**XII. 3:15 PM – 3:45 PM Medical Marijuana Update – Kristi Weeks
DISCUSSION/ACTION**

Laws related to medical marijuana changed in the 2016 legislative session. Ms. Weeks presented the changes and implications for the NCQAC and nurses in Washington State. The power point presentation is available upon request.

XIII. 4:00 PM – 4:30 PM Hearing – All’s Well Healthcare

Suzanne Becker, assistant attorney general, represented the NCQAC. Cathy Perez and Laurie Rice from All’s Well Healthcare attended by conference call. Both sides were afforded the opportunity to present concerns and positions regarding the list and labels request denied at the May 2015 NCQAC meeting.

NCQAC moved into executive session at 4:15 pm.
NCQAC returned from executive session at 4:30 pm.

**XIV. 4:30 PM – 4:40 PM Request for Lists and Labels – Paula Meyer –
DISCUSSION/ACTION
A. Victory Medical Solutions**

Motion: Ms. Soine moved to deny the list and labels request by Victory Medical Solutions due to lack of information. Ms. Tang made the second to the motion. **Motion carried.**

XV. 4:30 PM Meeting Evaluation

Pros	Cons
Extra time together, the dinner	Wi-Fi
Team building opportunity over computer glitches	Temperature
Staff support	Food
Food	Bathrooms
New chair did a great job	Missing members
Venue	
Extra lunch tables	
Education sessions: medical marijuana,	

fraudulent credentials and Substance use	
Preferred this location to the Kent Conference Center	
Teleconference success	

XVI. 4:42 PM Meeting adjourned

/S/

Margaret Kelly, LPN Chair

/S/

Cass Tang, Secretary/Treasurer